

Whatcom County Council

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Meeting Agenda

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010); AGENDA**

REVISED 3.22.2021 & 3.23.2021

Tuesday, March 23, 2021

6 PM

Virtual Meeting

COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

The Council is currently holding all meetings remotely. View meeting schedules, agendas, minutes, videos, and archives at www.whatcom.legistar.com. For instructions on how to watch or participate in this meeting, please visit us at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010.

The County is accepting applications from county residents to fill vacancies on several boards, commissions, and committees spanning a wide range of important local issues. For more information, visit the Boards and Commissions vacancy webpage on the County website at www.co.whatcom.wa.us, or call the County Council office or County Executive's Office.

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2021-023](#) Committee of the Whole Executive Session for March 9, 2021
2. [MIN2021-024](#) Committee of the Whole for March 9, 2021
3. [MIN2021-025](#) Regular County Council for March 9, 2021
4. [MIN2021-026](#) Water Work Session for March 16, 2021

PUBLIC HEARINGS

To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. All speakers should state their name for the record and optionally include city of residence. Speakers will be given three minutes to address the Council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.

1. [AB2021-134](#) Ordinance amending Whatcom County Code Section 1.14, Electoral Precincts, for changes in certain voting precinct boundaries in Whatcom County
2. [AB2021-135](#) Ordinance regarding temporary installation of stop signs on Noon Road at Ten Mile Road and East Hemmi Road at Noon Road
3. [AB2021-147](#) Ordinance establishing a fare capital surcharge for the Lummi Island Ferry System

4. [AB2021-164](#) Ordinance imposing an additional sales and use tax of one-tenth of one percent for housing and related services as authorized by RCW 82.14.530 adding a new chapter 3.47 to the Whatcom County Code

OPEN SESSION (20 MINUTES)

During open session, audience members can speak to the council on any issue not scheduled for public hearing. Each speaker should state his or her name for the record and optionally include city of residence. Speakers will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.

CONSENT AGENDA

Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff, or council may ask that an item be considered separately.

(From Council Finance and Administrative Services Committee)

1. [AB2021-127](#) Resolution to set hearing and notice of hearing on sale of county tax title property
2. [AB2021-129](#) Resolution to set hearing and notice of hearing on sale of county tax title property

ITEM WITHDRAWN 3.22.2021

3. [AB2021-157](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Fire Protection District #7 to extend the agreement through December 31, 2022 in the amount of \$296,995
4. [AB2021-159](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Patrol to lease tower access at the WSP Sumas Mountain Communications Site for a period of 10 years in the amount of \$15,304.28
5. [AB2021-162](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Lookout Mountain Holdings to lease tower access at the Lookout Mountain North Tower Site for four years and seven months for a total amount of \$51,332.73
6. [AB2021-170](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and SeaMar Community Health Centers to provide funding for an additional GRACE Program Case Manager in the amount of \$92,875 for a total amended contract amount of \$1,712,583
7. [AB2021-183](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Mt Constitution Sites, Inc to lease tower access at the Mt Constitution site for the period of five years in the amount of \$111,000

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2020-110](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Freedom 2000, LLC dba Cando Recycling and Disposal to lease the Johnson Road Transfer Station Facility in Point Roberts, in the amount of \$750 per month
2. [AB2021-145](#) Ordinance amending the project budget for Academy Road Stormwater Improvements Fund, request no. 2
3. [AB2021-146](#) Ordinance amending the 2021 Whatcom County Budget, request no. 4, in the amount of \$3,397,903
4. [AB2021-155](#) Request authorization for the County Executive to enter into a Lease Agreement between Whatcom County Flood Control Zone District and Brian Mellema for the annual amount of \$3,537.53 (Council Acting as the Flood Control Zone District Board of Supervisors)
5. [AB2021-172](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for coordinated administration of the GRACE Program, in the amount of \$280,000
6. [AB2021-178](#) Resolution to seek funding for the Lummi Island Ferry Modernization and Preservation project, including the BUILD grant program

(No Committee Assignment)

7. [AB2021-165](#) Request Council approval of the proposed charter for the SWISS (Snohomish, Whatcom, Island, Skagit, and San Juan Counties) group
8. [AB2021-148](#) Ordinance amending Whatcom County Code 3.08 Purchasing System to include nondiscrimination by county contractors

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.

1. [AB2021-167](#) Request confirmation of the County Executive's reappointment of Megen Porter and new appointment of Dana Weber to the Developmental Disabilities Advisory Board
2. [AB2021-175](#) Request confirmation of the County Executive's appointment of Nadine Kaaland to the Public Defense Advisory Committee

3. [AB2021-176](#) Request confirmation of the County Executive's appointment of Kathryn Ketteridge to the Marine Resources Committee
4. [AB2021-177](#) Request confirmation of the County Executive's appointments of Nichole Oleson and Austin Hengy to the Food System Committee

ITEMS ADDED BY REVISION

1. [AB2021-190](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded outdoor recreational cannabis growing and/or processing facilities

ITEM ADDED 3.22.2021

2. [AB2021-209](#) Resolution regarding permanent affordability of childcare in Whatcom County

ITEM ADDED 3.23.2021

INTRODUCTION ITEMS

Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. [AB2021-173](#) Ordinance amending the 2021 Whatcom County Budget, request no. 5, in the amount of \$1,192,365
 2. [AB2021-171](#) Ordinance granting Trans Mountain Pipeline (Puget Sound) LLC, a non-exclusive franchise for pipeline facilities
 3. [AB2021-184](#) Ordinance amending Whatcom County Code 9.08.020 Unlawful Exposure to include an exception for breastfeeding
 4. [AB2021-128](#) Resolution to sell county tax title property by public auction
 5. [AB2021-130](#) Resolution to sell county tax title property by public auction
- ITEM WITHDRAWN 3.22.2021**
6. [AB2021-168](#) Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Emmerson Road (Council Acting as the Flood Control Zone District Board of Supervisors)
 7. [AB2021-169](#) Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Dahlberg Road (Council Acting as the Flood Control Zone District Board of Supervisors)

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN